

REMARKS

Claims 1-31 have been examined. Claims 1-5, 8, 9 and 20-31 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claims 6, 7 and 10-19 are allowed.

I. Rejections under 35 U.S.C. § 103(a) in view of U.S. Patent No. 5,463,758 to Ottesen (“Ottesen”), U.S. Patent No. 5,315,578 to Furukawa et al. (“Furukawa”) and U.S. Patent No. 4,695,993 to Takagi et al. (“Takagi”)

A. Claim 1

Applicants submit that claim 1 is patentable over the cited references. For example, claim 1 recites a data update device for updating data addresses in a control area on a record medium to be blank, when the data is not determined to be valid (i.e. invalid).

The Examiner maintains that the steps 322 and 318 of the Ottesen reference disclose the above feature (i.e. as set forth in the rejection of claim 8 on pg. 8 of the Office Action). In particular, the Examiner maintains that steps 322 and 318 “update blank addresses” (pg. 8 of Office Action). However, claim 1 recites that addresses are updated to be blank, not that blank address are updated. Further, the steps 322 and 318 of Ottesen are performed during a seek operation, i.e. the plural identified data recorded on the disk drives 74, 75 are used for reducing seeking times. As shown in Fig. 8, at steps 322 and 318, a previous track address is “updated” (Fig. 8; col. 6, lines 45-53). Applicants submit that the mere disclosure of “updating” a track address fails to disclose the claimed feature of a data address being updated to be blank when the data is determined to not be valid. Thus, Applicants submits that Ottesen fails to disclose or suggest the feature recited above.

Since Furukawa and Takagi fail to cure the deficient teachings of Ottesen outlined above, Applicants submit that claim 1 is patentable over the cited references. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejection.

Also, as noted above, whether data is determined to be valid or invalid affects the update of data addresses to be blank. Therefore, if the rejection of claim 1 is to be maintained, Applicants respectfully request the Examiner to correlate the Examiner's interpretation of "valid data", as set forth on pg. 2 of the Office Action, with steps 322 and 318 (i.e. to explain what is interpreted to be "invalid" data, where such invalid data is utilized in steps 322 and 318 to update data addresses to be "blank").

B. Claims 20, 22, 24, 26, 28 and 30

Since claims 20, 22, 24, 26, 28 and 30 are dependent, either directly or indirectly, upon claim 1, Applicants submit that such claims are patentable at least by virtue of their dependency.

C. Claim 2

Since claim 2 contains features which are analogous to the features recited in claim 1, Applicants submit that claim 2 is patentable for at least analogous reasons as presented above.

D. Claims 3-5, 9, 21, 23, 25, 27, 29 and 31

Since claims 3-5, 8, 9, 21, 23, 25, 27, 29 and 31 are dependent, either directly or indirectly, upon claim 2, Applicants submit that such claims are patentable at least by virtue of their dependency.

E. Claim 8

Since claim 8 has been canceled, without prejudice or disclaimer, Applicants submit that the rejection of such claim is now moot.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

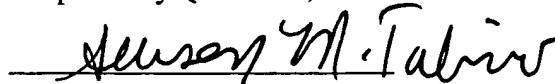
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